

RESOLUTION NUMBER R- 277113

ADOPTED ON JAN 08 1991

BE IT RESOLVED, by the Council of The City of San Diego, that it is hereby certified, that the information contained in ENVIRONMENTAL IMPACT REPORT EIR NO. 85-0100 and SEIR NO. 89-0550, on file in the office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines thereto, and has been reviewed and considered by this Council.

BE IT FURTHER RESOLVED, by the Council of The City of San Diego, that pursuant to California Public Resources Code Section 21081, the City Council hereby adopts the findings made with respect to the feasibility of the mitigating measures, project alternatives and the statements of overriding considerations, contained within ENVIRONMENTAL IMPACT REPORT EIR NO. 85-0100 and SEIR NO. 89-0550, on file in the office of the City Clerk as Document Nos. RR- 277113-1 and RR- 277113-2.

BE IT FURTHER RESOLVED, by the Council of The City of San Diego, that the candidate findings and statement of overriding considerations are attached as Exhibit A.

APPROVED: JOHN W. WITT, City Attorney

By Janis Sammartino
Janis Sammartino
Deputy City Attorney

JS:pev
01/02/91
01/25/91 REV. 1

Or.Dept:Plan.
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SAN DIEGO, CALIF.

EXHIBIT A
CITY of SAN DIEGO
MEMORANDUM

FILE NO.: DEP NO. 89-0550
DATE : January 8, 1991
TO : Mayor and City Council
FROM : Development and Environmental Planning (DEP)
SUBJECT: Canidate Findings for Scripps Ranch North Phase II

Due to recent proposed revisions to the above referenced project, the Canidate Findings for the Environmental Impact Report have been revised and are attached for your immediate review.

R- 277113

MITIGATION AND MITIGATION MONITORING
FOR THE
SCRIPPS RANCH NORTH PHASE II

Assembly Bill 3180, passed by the California legislature in the 1987-1988 session, added Section 21081.6 to the Public Resources Code. This bill requires a public agency "to adopt a reporting and monitoring program for the changes to the project which it has adopted in order to mitigate or avoid significant impacts on the environment." The purpose of this program is to ensure compliance during project implementation. Such a monitoring program must be adopted by the public agency when the public agency makes the required findings. Mitigation monitoring is required for all projects requiring an EIR, in which mitigation is required, or a Mitigated Negative Declaration approved after December 31, 1988. Mitigation monitoring programs should, at minimum, identify the following: the entity responsible for monitoring the program, what exactly is being monitored and how, what schedule is required to provide adequate monitoring, and what identifies that the monitoring is complete.

A. LANDFORM ALTERATION/VISUAL QUALITY

Mitigation

The proposed project would result in significant adverse visual quality and landform alteration impacts. Mitigation below a level of significance, would be afforded by proposed project revisions requested by Development and Environmental Planning Division (DEP) Staff and agreed to by the applicant. This includes enhanced grading techniques (e.g., rounded slopes) and the landscaping program which have been incorporated into the project design. The landscaping concept would implement the community plan guidelines which require that plantings correspond to different zones within the project (e.g. manufactured slopes, transition areas, streetscapes, fire buffer areas). The landscaping of all manufactured slopes in excess of 30 feet in height would be monitored for a three-year period to ensure the establishment of the plantings. The three-year landscaping maintenance program would also include irrigation for selected hydroseed and container stock planting areas, monitoring of planted areas and replacement of container stock plantings, and a fertilization program.

Mitigation Monitoring

Prior to issuance of a grading permit, DEP Staff shall review the grading and landscape plans. After the grading permit has been issued, staff from the Engineering and Development Department (E & D) shall field inspect the grading to ensure that it has been performed in conformance with the approved plans. City

staff from DEP will field inspect the site to ensure that landscaping has been installed as per approved plans. Once the as-built plans have been approved by the field inspector, the E & D will prepare a Notice of Completion and Acceptance which must then be approved by the City Council.

Prior to issuance of building permits, written notification of the Planning Director would be required which certifies that the landscaping has been installed in substantial conformance with the approved plans. The City's Landscape Technical Manual (1989) requires that all slopes be planted within 90 days from when grading occurs. All manufactured slopes in excess of 30 feet in height shall be monitored for a three-year period to ensure the establishment of the plantings. Certification that the landscaping has been installed in conformance with approved plans would not encompass the three-year monitoring program for steep slopes. A surety bond shall be posted with the City of San Diego Engineering and Development Department during the three-year landscaping maintenance period. At the conclusion of the three years, the surety bond will be released if all conditions of the maintenance program have been met to the satisfaction of the City staff.

B. BIOLOGY

Mitigation

The following design measures would partially reduce impacts to biological resources from project grading and the brush management program, but not to below a level of significance"

- a. Sixty-nine acres of southern mixes chaparral and approximately 8 acres of coastal sage scrub shall be permanently incorporated in natural open space. Included in this would be the Special Biological Study Area designated by the Miramar Ranch North Community Plan. Of the preserved natural open space, 35.2 acres would be subject to brush management requirements.
- b. Brush management within Zones 2 and 3 shall be accomplished by hand clearing. The Del Mar manzanita plants within the area to be hand cleared (Zones 2 and 3) shall be flagged by a certified biologist and clearing crews shall be instructed not to disturb these plants.

Mitigation Monitoring

Prior to issuance of a grading permit, the DEP staff shall review the grading plans. After the grading permit has been issued, City staff from the Engineering and Development Department shall ~~field inspect the grading to ensure that sensitive habitat~~ has not been impacted. After the City Engineer approves the "construction changes" and/or the "as-built" grading plans, prior to issuance of building permits, written notification of the Planning Director shall be required which certifies that the landscaping has been installed in substantial conformance with the approved plans. Written notification of the Planning Director prior to the occupancy of the residential units shall also be required certifying that the initial brush management selective clearing has been accomplished in accordance with the PRD requirements.

All manufactured slopes in excess of 30 feet in height shall be monitored for a three-year period to ensure the establishment of the plantings. Certification that the landscaping has been installed in conformance with approved plans would not encompass the three-year monitoring program for steep slopes. A surety bond would be required by the City of San Diego Engineering and Development Department for the purpose of establishing the proposed three-year landscaping maintenance program. At the conclusion of the three years, the surety bond will be released if all conditions of the maintenance program have been met to the satisfaction of City staff.

C. NOISE

Mitigation

Unit 11 has been redesigned to eliminate any buildings within 70 feet of Cypress Canyon Road where it intersects with "T Street", thereby eliminating the requirement of constructing any noise walls. For noise sensitive receptors (residential park, church, and school uses) placed closer to the road than the minimum zoning setback, architectural methods of noise mitigation would be necessary. Dual-pane glass windows and forced-air circulation would be adequate to attenuate exterior noise levels to an acceptable 45 dBA Ldn interior noise limit. Noise impacts at the proposed pocket park adjacent to Cypress Canyon Road would be mitigated by the construction of a three-foot high berm along the length of the park.

Along the Scripps North Parkway adjacent to the proposed multi-family site at Unit 3, construction of a minimum four-foot-high wall or use of a 40-foot setback would accomplish mitigation of the noise impacts. The applicant has agreed to

construct the wall as a condition of the current PRD and tentative map.

Mitigation Monitoring

Upon completion of the grading and prior to occupancy of the residences, the building inspector shall field check the project site to ensure that the specified setbacks, noise attenuation walls, and/or berms have been implemented as shown on the Tentative Map, final grading and improvement plans. A City planning staff person may either place an Administrative hold on the issuance of a Certificate of Occupancy, or may request a Stop Work Order be placed on construction until a mitigation measure has been properly implemented. A site visit by DEP Staff shall ensure implementation of the required mitigation measures.

STATEMENT OF OVERRIDING CONSIDERATIONS

D. Pursuant to the CEQA Guidelines, the decisionmaker in determining whether to approve this project has balanced the benefits of this project against its unavoidable environmental risks. Because the benefits of this project outweigh the unavoidable adverse environmental effects, the decisionmaker considers the adverse environmental effects as acceptable, for the following reasons:

The proposed project is part of the three phase Scripps Ranch North project within the Miramar Ranch North Community Planning Area. The Scripps Ranch North Phase II project will facilitate and assist in the financing of major infrastructure improvements that would provide significant benefits not only to future residents of Miramar Ranch North but also to the City of Poway, Sabre Springs, Scripps Ranch, Rancho Bernardo, and Penasquitos East. The public facilities improvements listed in Table 21 of the community plan (pages 119-121) and detailed in the Public Facilities Financing Plan (PFFP) are dependent on developer contributions. The capital improvements required for all of Scripps Ranch North are listed below. (Appendix A of the PFFP contains a detailed description of the capital improvements.) These major infrastructure improvements require the implementation of all three phases of Scripps Ranch North to financially support the timely implementation of the facilities.

- a. Transportation improvements at the I-15/Mercy interchange (Stage 1 in Phase I and Stage 2 at 2700 EDU's in the entire community planning area) (underpass widening and interchange modifications).
- b. Various roadway improvements to on-site Circulation Element roads including the construction of Scripps Ranch Boulevard in Phase III, Scripps North Parkway between I-15 and the City of Poway (Alternative 8A) in Phase I, Spring Canyon Road in Phase I, and Cypress Canyon Road in Phase II. In addition, approximately \$2.1 million would be contributed to off-site roadways (Pomerado Road and Alternative 8A).
- c. Utilities improvements to the water distribution system including a 4.5 million gallon water reservoir which provides storage capacity for fire flows and backup water for the region in Phase I, a reservoir access road in Phase I, and 3 pump stations (one in each phase).

- d. Community facilities (three parks, fire station, high school contributions, a church site, a \$50,000 contribution to CALTRANS for a mass transit study, and library contributions).
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Of the above facilities, the Phase II project area would provide a 20.0-acre community park site, 5.6-acre school, 1.0-acre fire station, two pocket parks, the construction of Cypress Canyon Road (a circulation element road), and 6.0-acre church site. These facilities (e.g., 20.0-acre community park site, school site, and fire station) would be jointly used by the "twin communities" of Scripps Miramar Ranch and Miramar Ranch North, as described in the community plan. The other facilities listed are part of either Phase I or Phase III. The implementation of a reduced grading project would not inhibit the construction of any of these facilities.

From a social perspective, approval of Phase II as part of the overall Scripps Ranch North development would contribute to the balance of housing in the region. The project, by developing multi-family and single-family units which provide a variety of housing types, sizes, prices, and ownership mechanisms, would allow for a balanced community and provide housing for a variety of socioeconomic groups (Miramar Ranch North Community Plan, page 13). However, implementation of a reduce grading alternative would also contribute to the balance of housing in the region.

The Miramar Ranch North roadway network as well as the capital improvement projects relating to the Mercy interchange, community parks, library contributions, mass transit studies, fire facilities, and water and sewer facilities will benefit not only Miramar Ranch North but also the surrounding communities. Given the magnitude of these and other infrastructure improvements noted above and the social considerations regarding balanced housing in the region, the identified environmental impacts are considered acceptable.

JAN 0 8 1991

Passed and adopted by the Council of The City of San Diego on.....
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

By  Deputy.

Office of the City Clerk, San Diego, California

Resolution *R-277113* JAN 0 8 1991
Number Adopted.....

CANDIDATE FINDINGS
FOR THE
PLANNED RESIDENTIAL DEVELOPMENT PERMIT
AND VESTING TENTATIVE MAP,
~~FOR SCRIPPS RANCH NORTH PHASE II~~

The following findings are made relative to the conclusions of the final Supplemental Environmental Impact Report (SEIR) for the Vesting Tentative Map (VTM) and Planned Residential Development (PRD) permit for Scripps Ranch North Phase II, in the City of San Diego (DEP No. 89-0550). These findings are also made in conjunction with the EIR for the 1987 Miramar Ranch North Community Plan Amendment (DEP. No. 85-0100). The 321.3-acre project area comprises Phase II of the larger McMillin/BCED ownership in the Miramar Ranch North Community Planning Area. The project involves the development of 777 residential units on 109 acres, a school and park site on 25 acres, a fire station on 1 acre, and an institutional/church site on 6 acres. These findings are made pursuant to Section 21081 of the California Public Resources Code and Sections 15091 and 15093 of the State CEQA Guidelines.

FINDINGS

A. The decisionmaker having reviewed and considered the information contained in the final SEIR for the project and the public record, finds, pursuant to the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final SEIR with respect to the areas of (1) landform alteration/visual quality, (2) biological resources, and (3) noise. Specifically:

1. With respect to landform alteration/visual quality, the total volume of earthwork would be approximately 4,099,000 cubic yards occurring over 196 acres. The measures listed below which have been incorporated into the proposed project below, would reduce the landform alteration and visual quality impacts to below a level of significance.
 - a. The manufactured slopes along Cypress Canyon Road have been reduced from 85 feet high and 90 feet high as shown on the Miramar Ranch North concept grading plan, to 25 feet high and the elimination of the 90-foot high manufactured slope, respectively.
 - b. The 80-foot high manufactured slope in Unit 11 as shown on the concept grading plan has been reduced to 30 feet which would result in a substantial

reduction in landform alteration, enhance visual quality, retain an additional 4.5 acres of open space, and preserve existing native vegetation. The edges of this 30-foot high slope would vary from a 2:1 to 3:1 ratio. The corners of the slope would ~~be rounded to transition with the adjacent~~ topographic contours.

- c. In Units 2, 7, 12, and 13 the vertical and horizontal alignment of the streets has been refined to more closely follow the existing landforms.
 - d. In Unit 12 the grading has been refined to retain a knoll (0.6 acres) in its natural condition.
 - e. In Unit 2 the grading has been refined to more closely simulate the natural landform.
 - f. The street and lot configurations in Units 2, 11, and 12 have been refined to provide five additional points of visual and physical access to open space. Street cul-de-sacs have been added or extended to provide a visual break to enhance visual quality on and off-site.
 - g. In Unit 12, the street configuration and lot layout have been refined to provide a 300-foot visual break in the development along "O" Street.
2. With respect to biology, the following design measures will partially reduce the impacts to biological resources, but not to below a level of significance:
- a. Under the proposed project, approximately sixty-nine acres of southern mixed chaparral and four acres of coastal sage scrub would be permanently preserved in natural open space. Included in this would be the Special Biological Study Area designated by the Miramar Ranch North Community Plan.
 - b. The reduction of the manufactured slope in Unit 11 would result in the preservation of approximately 4.5 additional acres of coastal sage scrub in natural open space resulting in the permanent preservation of approximately 8 acres of coastal sage scrub.

- c. At Unit 12 the grading has been refined to retain a knoll (0.6 acres) resulting in the preservation of a substantial population of Coast Barrel Cactus.
 - d. Brush management within Zones 2 and 3 shall be accomplished by hand clearing. The Del Mar manzanita plants within the area to be hand cleared (Zones 2 and 3) shall be flagged by a certified biologist and clearing crews shall be instructed not to disturb these plants.
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In order to reduce the biological impacts to below a level of significance, the Development and Environmental Planning Division (DEP) has concluded, an additional 68.4 acres of open space, with similar resource characteristics as those on site, would have to be preserved either on or off-site.

- 3. With respect to noise, the applicant originally agreed to construct a three-foot-high solid-block or masonry noise wall in PRD Unit 11 at the intersection of Cypress Canyon Road and "T Street" (Lots 1 and 66). Unit 11 has been refined to eliminate any buildings within 70 feet of Cypress Canyon Road where it intersects with "T Street", thereby eliminating the requirement of constructing a noise wall. Second-story noise mitigation may not be necessary if the buildings are placed far enough back from the road. The necessary setback from Cypress Canyon Road would be 20 feet. For second-story noise receptors placed closer to the road than the minimum setback, architectural methods of noise mitigation would be necessary. Dual pane glass windows and forced-air circulation would be adequate to attenuate interior noise levels to an acceptable 45 DBA Ldn. Noise impacts at the proposed pocket park adjacent to Cypress Canyon Road would be mitigated by the construction of a three-foot-high berm along the length of the park (SEIR Conclusions, page 5). These measures would reduce the noise impacts to a level below significance.

B. The decisionmaker having reviewed and considered the information contained in the final SEIR for the project and the public record, finds that there are no changes or alterations to the project which avoid or substantially lessen the significant environmental impacts that are within the responsibility and jurisdiction of another public agency.

C. The decisionmaker having reviewed and considered the information contained in the final SEIR for the project and the public record, finds there are specific economic, social, or other

considerations which make infeasible the mitigation measures and project alternatives identified in the final SEIR. The alternative identified in the SEIR to reduce landform alteration/visual quality and biology impacts to below a level of significance is the Reduced Grading Alternative (Alternative C).

~~The grading proposed for the PRD is consistent with the Miramar Ranch North worst case concept grading plan (SEIR Conclusions, page 1). However, the Reduced Grading Alternative, Alternative C, provides a design that utilizes steeper grading techniques that will reduce the removal of ridgelines and prominent view points. Residential lots would be clustered under this alternative to break up and create views from the road system between groups of units, protecting visually significant portions of existing landform. This could be accomplished without a loss in the number of units (SEIR, pages S-4).~~

This alternative is not considered feasible for reasons concerning (1) the economics of developing the Scripps Ranch North Phase II property and (2) generating sufficient revenue to construct the required public facilities identified in the Miramar Ranch North Community Plan.

Alternative C is considered infeasible for social reasons relating to the public facilities designated for Phase II in the Miramar Ranch North community Plan. Of particular importance is the need for active parks within the twin communities of Miramar Ranch North and Scripps Miramar Ranch. Alternative C emphasizes the reduction of large flat pad grading for multi-family and other land uses (i.e., the park site, school site, and church site), and states that the size of the pads can be reduced by creating pad areas that slope at accepted engineering gradients for lawn and outdoor use areas of up to and including 3:1 slopes (SEIR, page 45). Use of this grading approach would reduce the usable flat area at the 20-acre park site, and the 5.6-acre school site.

The VTM and PRD would, "preserve no less natural open space than is shown on the concept grading plan" (Miramar Ranch North Community Plan, page 11,) and would increase natural open space from the 106 acres shown on the concept grading plan to 125 acres.